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PTO/SB/64 (09-06)

Approved for use through 03/31/2007. OMB 0551-0031  
U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<b>PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)</b>		<b>Docket Number (Optional)</b> P2267/1021
First named inventor: Richard D. Cappels		
Application No.: 09/160,503	Art Unit: 2179	
Filed: September 24, 1998	Examiner: Mylinh T. Tran	
Title: Apparatus And Method For Handling Special Windows In A Display		
Attention: Office of Petitions Mail Stop Petition Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450 FAX (571) 273-8300		
NOTE: If information or assistance is needed in completing this form, please contact Petitions Information at (571) 272-3282.		
The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the office notice or action plus an extensions of time actually obtained.		
APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION		
NOTE: A grantable petition requires the following items: <ol style="list-style-type: none"> <li>(1) Petition fee;</li> <li>(2) Reply and/or issue fee;</li> <li>(3) Terminal disclaimer with disclaimer fee - required for all utility and plant applications filed before June 8, 1995; and for all design applications; and</li> <li>(4) Statement that the entire delay was unintentional.</li> </ol>		
1. Petition fee <input type="checkbox"/> Small entity-fee \$ _____ (37 CFR 1.17(m)). Applicant claims small entity status. See 37 CFR 1.27. <input checked="" type="checkbox"/> Other than small entity - fee \$ <u>1500.00</u> (37 CFR 1.17(m))		
2. Reply and/or fee A. The reply and/or fee to the above-noted Office action in the form of <u>Notice of Appeal</u> (identify type of reply): <input type="checkbox"/> has been filed previously on _____ <input checked="" type="checkbox"/> is enclosed herewith. B. The issue fee and publication fee (if applicable) of \$ _____ <input type="checkbox"/> has been paid previously on _____ <input type="checkbox"/> is enclosed herewith.		

[Page 1 of 2]

This collection of information is required by 37 CFR 1.137(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

04/02/2007 TL0111 00000002 09160503

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U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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## 3. Terminal disclaimer with disclaimer fee

- ☒ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.
- ☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ \_\_\_\_\_ for a small entity or \$ \_\_\_\_\_ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

4. STATEMENT: The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE: The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c), subsections (III)(C) and (D)).]

## WARNING:

Petitioner/applicant is cautioned to avoid submitting personal information in documents filed in a patent application that may contribute to identity theft. Personal information such as social security numbers, bank account numbers, or credit card numbers (other than a check or credit card authorization form PTO-2038 submitted for payment purposes) is never required by the USPTO to support a petition or an application. If this type of personal information is included in documents submitted to the USPTO, petitioners/applicants should consider redacting such personal information from the documents before submitting them to the USPTO. Petitioner/applicant is advised that the record of a patent application is available to the public after publication of the application (unless a non-publication request in compliance with 37 CFR 1.213(a) is made in the application) or issuance of a patent. Furthermore, the record from an abandoned application may also be available to the public if the application is referenced in a published application or an issued patent (see 37 CFR 1.14). Checks and credit card authorization forms PTO-2038 submitted for payment purposes are not retained in the application file and therefore are not publicly available.

Nancy R. Simon  
Signature

March 30, 2007

Date

Nancy R. Simon

Typed or printed name

36,930

Registration Number, if applicable

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Address

Enclosures: ☒ Fee Payment

☒ Reply

☐ Terminal Disclaimer Form

☒ Additional sheets containing statements establishing unintentional delay

☐ Other: \_\_\_\_\_

## CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]

I hereby certify that this correspondence is being:

☐ Deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop Petition, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450.

☒ Transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (571) 273-8300.

March 30, 2007

Date

Nancy R. Simon  
Signature

Nancy R. Simon

Typed or printed name of person signing certificate

**MAR 30 2007**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

RICHARD D. CAPPELS et al.

Serial No.: 09/160,503

Filed: SEPTEMBER 24, 1998

For: **APPARATUS AND METHOD FOR  
HANDLING SPECIAL WINDOWS  
IN A DISPLAY**

Atty Dkt P2267/1021

Examiner: M.T. TRAN

Group Art Unit: 2179

**STATEMENT IN SUPPORT OF PETITION FOR REVIVAL OF AN  
APPLICATION FOR PATENT**

Mail Stop Petition  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In response to the Office Action dated April 25, 2006 and the Notice of Abandonment received March 30, 2007, Applicant hereby submits this Statement in support of the Petition for Revival of an Application for Patent Abandoned Unintentionally.

## CERTIFICATE OF TRANSMISSION

37 C.F.R. 1.8

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office, fax number (571) 273-8300, on March 30, 2007.

Nancy R. Simon

Application No. 09/160,503  
Statement dated March 30, 2007

### STATEMENT

This patent application was filed on September 24, 1998. Applicant has been dutifully prosecuting this original application since that time, including multiple responses to office actions and appeals. Applicant did not want to abandon the application. It was and is Applicant's intention to continue prosecution of the Application. Applicant therefore submits a Petition for Revival of an Application for Patent Abandoned Unintentionally and a Notice of Appeal as the reply to the final office action dated April 25, 2006.

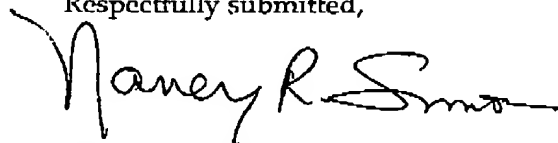
A Power of Attorney was filed by Applicant on August 13, 2002 giving myself, Nancy R. Simon, Power of Attorney in this application (see attached copy of the Power of Attorney). I moved to a new address on January 1, 2005 and submitted a Change of Correspondence Address on February 23, 2005 (see attached copy). The Examiner mailed an Office Action on April 26, 2006. Unfortunately, I did not receive the office action as it was mailed to my old address. I received a message from the Examiner regarding the office action while I was out of town October 25, 2006 through October 28, 2006. The Examiner faxed a copy of the April 25, 2006 office action to my office on November 2, 2006. I contacted the Applicant but was unable to discuss the matter with the Applicant until December 20, 2006. This delay was due to absences from the office by both the Applicant and myself. I was out of the office November 10, 2006 through November 18, 2006, November 26, 2006 through November 28, 2006, December 5, 2006 through December 12, 2006, December 25, 2006 through January 3, 2007, and February 16, 2007 through February 20, 2007. The Applicant was unavailable the week of November 20, 2006 (Thanksgiving week) and the week of December 25, 2006 (Christmas week). I received a new Power of Attorney for this application on or about February 8, 2007 (see attached copy) and a copy of the Notice of Abandonment from the Examiner via facsimile on March 30, 2007. The Petition to Revive an Application for a Patent and this Statement were filed on March 30, 2007.

Application No. 09/160,503  
Statement dated March 30, 2007

Applicant therefore respectfully requests the revival of this patent application as the entire delay for the required reply until the filing of this Petition was unintentional. Thank you for your attention to this matter.

Date: March 30, 2007

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Nancy R. Simon". The signature is fluid and cursive, with a long horizontal stroke at the end.

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